## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

TRAVIS LEE WILDER,	)	Civil Action No. 7:17cv00216
Plaintiff,	)	
	)	
v.	)	MEMORANDUM OPINION
	)	
NEW RIVER VALLEY	)	
REGIONAL JAIL,	)	By: Norman K. Moon
Defendant.	)	<b>United States District Judge</b>

Plaintiff Travis Lee Wilder, a Virginia inmate proceeding *pro se*, filed a civil rights action pursuant to 42 U.S.C. § 1983, naming only the New River Valley Regional Jail as a defendant. To state a cause of action under § 1983, a plaintiff must allege facts indicating that he has been deprived of rights guaranteed by the Constitution or laws of the United States and that this deprivation resulted from conduct committed by *a person* acting under color of state law. *West v. Atkins*, 487 U.S. 42 (1988) (emphasis added). As the New River Valley Regional Jail is not a "person" subject to suit under § 1983, Wilder cannot maintain this action against the defendant jail. *See McCoy v. Chesapeake Correctional Center*, 788 F. Supp. 890 (E.D. Va. 1992). Accordingly, I will dismiss Wilder's complaint without prejudice pursuant to 42 U.S.C. § 1997e(c)(1).

**ENTER**: This 7th day of June, 2017.

NORMAN K. MOON UNITED STATES DISTRICT JUDGE

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